

HOUSE BILL 2883

By Patton

AN ACT to amend Tennessee Code Annotated Titles 37-2-403, 37-2-409, 37-2-411, and 37-2-415, to delete “permanent foster care” and “emancipation” as available goals under permanency plans for children in Department of Children’s Services’ custody and replace them with the goal of “Planned Permanent Living Arrangement”.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated Section 37-2-403(a)(1), is amended by deleting the current subdivisions 37-2-403(a)(1)(D) and (E) in their entirety and replacing them with a new subdivision 37-2-403(a)(1)(D) which shall read “Planned Permanent Living Arrangement”.

SECTION 2. Tennessee Code Annotated Section 37-2-403(a)(1)(C) is amended by adding the phrase “and/or” to the end of that subdivision.

SECTION 3. Tennessee Code Annotated Section 37-2-403(a)(4)(B)(iv), is amended by deleting the phrase “permanent foster care” and replacing it with the phrase “a Planned Permanent Living Arrangement”.

SECTION 4. Tennessee Code Annotated Section 37-2-403(b)(2)(C), is amended by deleting the phrase “Permanent foster care” and replacing it with the phrase “Planned Permanent Living Arrangement”.

SECTION 5. Tennessee Code Annotated Section 37-2-409(b)(1) is amended by deleting the current subdivision in its entirety and replacing it with a new subdivision 37-2-409(b)(1) which shall read as follows:

In an effort to achieve early permanency, the purpose of these permanency hearings shall be to review the permanency plan and goals for the child. The hearings and plan shall address which goals continue to be appropriate for the child in order to achieve permanent placement and shall include a timeline for achieving each goal. Possible goals include: return of the child to the parent; permanent placement with a fit and willing relative; filing a petition for termination of parental rights; placement for adoption; referral for legal guardianship; or placement in another planned permanent living arrangement.

(Such placement in another planned permanent living arrangement shall only be appropriate in cases where the state agency has documented a compelling reason for determining that the other goals would not be in the best interests of the child, because of the child's special needs or circumstances.) The purpose of these permanency hearings shall also be to determine the extent of compliance of all parties with the terms of the permanency plan, and the extent of progress in achieving the goals of the plan. In the case of a child who has reached sixteen (16) years of age, the hearing shall, in addition, determine the services needed to assist the child to make the transition from foster care to independent living.

SECTION 6. Tennessee Code Annotated Section 37-2-411(a)(6), is amended by deleting the phrase “permanent or long-term foster care” and replacing it with the phrase “a Planned Permanent Living Arrangement”.

SECTION 7. Tennessee Code Annotated Section 37-2-415(a)(20), is amended by deleting the phrase “permanent foster care” and replacing it with the phrase “a Planned Permanent Living Arrangement”.

SECTION 8. This act shall take effect upon becoming law, the public welfare requiring it.